

September 15, 2016

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 14

ALL MEMBERS PRESENT.  
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
- a. COMM. 9E-16 (2016)  
**COUNTY EXECUTIVE:** “Department of Parks - Proposed Metal Detecting Regulations”  
(6-0)
2. COMM. 14E-10 (2016)  
**COUNTY EXECUTIVE**  
WHEREAS, pursuant to Legislative Comm. 11E-9 (2014) Contract 37 STP-B, HVAC was awarded to Quackenbush Company, Inc. for HVAC work for the Influent Pumping Station at the Southtowns Sewage Treatment Plant; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 37 STP-B, HVAC in the final contract amount of \$408,363.00 which includes Change Order No. 1 (final), a decrease of \$39,637.00, and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 37 STP-A, HVAC between the County of Erie and Quackenbush Company, Inc. (495 Kennedy Drive, Buffalo, NY 14227) is accepted in the final contract amount of \$408,363.00 which includes Change Order No. 1 (final), a decrease of \$39,637.00, and is allocated in Erie County Sewer District No. 3 Bond Account C.00012; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract 37 STP-D, HVAC to Quackenbush Company, Inc. for a total contract amount of \$408,363.00 and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management, and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.

(6-0)

3. COMM. 17E-15 (2016)  
**COUNTY EXECUTIVE**  
WHEREAS, pursuant to Legislative Comm. 14E-13 (2014) Contract 19 was awarded to NFP & Sons, Inc. for the replacement of Clarence Research Park STP lab/blower building in Erie County Sewer District No. 5; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 19, in the final contract amount of \$453,300.00.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 19 between the County of Erie and NFP & Sons, Inc. is accepted in the final contract amount of \$453,300.00 which was allocated from the Erie County Sewer District No. 5 Capital Account C.14501; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.  
(6-0)

4. COMM. 17E-16 (2016)  
**COUNTY EXECUTIVE**  
WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in pollution, the Erie County Medical Care Waste Pharmaceutical Disposal Program continues to serve as an advocate for the proper collection and disposal of unwanted medications; and

WHEREAS, Citizens Campaign Fund for the Environment (CCFE) awarded grant funds to support the Erie County Medical Care Waste Pharmaceutical Disposal Program; and

WHEREAS, Erie County has received an of award from CCFE for \$99,222 in grant funding for the Erie County Medical Care Waste Pharmaceutical Disposal Program; and

WHEREAS, the Erie County Legislature authorized the County Executive to enter into an agreement with the CCFE to provide other local source revenue to the DEP SAP grant 162ECMCWPDP1516 per Comm.10E-22 (2015), 5/28/15; and

WHEREAS, a budget revision is necessary for efficient and effective use of available grant funds; and

WHEREAS, the proposed budget revision has been accepted by the funding agency.

NOW, THEREFORE, BE IT

RESOLVED, that Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with State and local funding requirements; and be it further

RESOLVED, that the Division of Budget and Management implement the following budget revisions to fund 281:

Department of Environment and Planning  
Erie County Medical Care Waste Pharmaceutical Disposal Program  
Grant 162 ECMCWDPDP1516

REVENUE			
Account	Current Budget	Revision	Revised Budget
420499 Other Local Source Revenue	<u>(\$99,222)</u>		<u>(\$99,222)</u>
TOTAL REVENUE	(\$99,222)		(\$99,222)

APPROPRIATIONS			
Account	Current Budget	Revision	Revised Budget
500000 Full Time Salary	\$48,252	\$12,783	\$61,035
502000 Fringe Benefits	\$28,470	\$ 5,475	\$33,945
505800 Med/Health Supplies	\$15,000	(\$10,758)	\$ 4,242
510000 Local Mileage Reimbursement	\$ 1,500	(\$ 1,500)	\$ 0
516020 Prof Services Contract & Fees	<u>\$ 6,000</u>	<u>(\$ 6,000)</u>	<u>\$ 0</u>
TOTAL APPROPRIATIONS	\$99,222	\$ 0	\$99,222

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller;

the Commissioner of the Department of Environment and Planning; and the Deputy Commissioner of the Division of Environmental Compliance.  
(6-0)

5.	COMM. 17E-18 (2016)	
	<b>COUNTY EXECUTIVE</b>	<b>AS AMENDED</b>
	WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No.5, Eastern Hills Pump Station Improvements, Contract No. 22 at 2:00pm on September 7, 2016;	
	Contract	Low Bidder Amount
	Contract No. 47	Yarussi Construction, Inc. \$92,400.00
		5650 Simmons Ave
		Niagara Falls, NY 14304

WHEREAS, the aforementioned lowest bidder has successfully performed similar work in Erie County; and

WHEREAS, the Division of Sewerage Management has determined that this proposed project is a Type II action in accordance with 6 NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under the New York State Environmental Conservation Law.

NOW, THEREFORE BE IT

RESOLVED, the Eastern Hills Pump Station Improvements, Contract No. 22 be awarded to Yarussi Construction, Inc. in the not to exceed amount of \$92,400.00; and be it further

RESOLVED, that the County Executive be, and is hereby authorized to execute the Contract with the aforementioned lowest, responsible bidder subject to approval to content by the Commissioner of the Department of Environment and Planning and as to form by the County Attorney's Office; and be it further

RESOLVED, that the County Comptroller is authorized and directed to allocate \$92,400.00 from Sewer Capital, Erie County Sewer District No.5 Account C.00035 for Contract No. 22; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized to increase estimated revenue and appropriations in Erie County Sewer District No.5 Capital Reserve Account C.00007 to Sewer District No.5 Capital Account C.00035 and establish budgets necessary to facilitate the transfer; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to transfer \$100,000.00 from Erie County Sewer District No. 5 Capital Reserve Account C.00007 to Sewer District No.5 Capital Account C.00035 and establish the budgets necessary to facilitate the transfer; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of this resolution to the County Executive, Director of Budget and Management, the County Comptroller, and Kristen Walder, Assistant County Attorney; and send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.

(6-0)

**TED B. MORTON**  
**CHAIR**